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Convention on the Elimination of All Forms of Discrimination against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 332nd MEETING

Held at Headquarters, New York,
on Friday, 31 January 1997, at 10.15 a.m.

Chairperson: Ms. KHAN
later: Ms. BUSTELO GARCÍA DEL REAL
(Vice-Chairperson)

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WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

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97-80759 (E) 080698

The meeting was called to order at 11.05 a.m.

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

1. After a discussion in which Ms. CARTWRIGHT, Ms. ESTRADA CASTILLO, Ms. GONZALEZ and Ms. SCHÖPP-SCHILLING took part, the CHAIRPERSON suggested that the Committee should begin its work with the consideration of the report of Working Group I.

Adoption of the report of Working Group I (CEDAW/C/1997/WG.I/WP.2 and Add.1)

CEDAW/C/1997/WG.I/WP.2/Add.1

2. The CHAIRPERSON invited the members of the Committee to consider the list of States parties whose reports would be considered at the Committee's seventeenth session.

3. Ms. SCHÖPP-SCHILLING wondered whether the Committee would be able to consider eight reports of States parties in addition to dealing with the work of the working groups. There seemed to be a conflict between the need to conduct a constructive dialogue with States parties and the need to carry out certain tasks in working groups. Much more attention should be paid to the concluding comments, since they constituted the final document issued by the Committee, and also formed the basis for the Committee's future working list for subsequent reports. Moreover, more time needed to be devoted to constructive dialogue with the States. She would therefore suggest that no more than seven reports be considered at the next session.

4. Ms. CARTWRIGHT said that, while she agreed that the Committee needed to improve the way in which it dealt with the concluding comments, the additional session for July 1997, and two sessions for each year thereafter, had been earmarked by States parties, for the purpose of dealing with the considerable backlog of reports. Therefore, since the Committee's first responsibility was to examine the reports of States parties the number of reports considered at the July session should be increased to 10. An additional initial report and an additional second periodic report or combined reports could be examined. In order to do such reports justice, the Committee should implement some of the proposals recommended by Working Group II, including the recommendation that, with respect to the concluding comments, time should be shared out appropriately amongst all the States parties' reports.

5. Ms. CORTI supported Ms. Cartwright's proposal, noting that since the General Assembly had acceded to the Committee's long-standing request for additional sessions, it was the Committee's duty to focus mainly on the consideration of States parties' reports in order to eliminate the backlog.

6. Ms. GONZÁLEZ said that the Committee should consider the possibility of taking up the initial and second periodic reports of Antigua and Barbuda, and the second and third reports of Argentina together. As far as the method of

work was concerned, it would be better now to establish regular timetables for meetings of the working groups.

7. Ms. QUEDRAOGO endorsed the proposal that the number of reports considered should be increased to 10. She suggested that other guidelines should be given to the States parties, instructing them to limit their interventions to summaries and answers to the questions of the Committee so that priority could be given to constructive dialogue.

8. Ms. FERRER GÓMEZ said that the number of reports should be maintained at the current level or even increased. At the next session, the Committee should focus exclusively on the consideration of reports. It was very important to receive the reports in due time so that Committee members could study them and come up with specific questions. She drew attention to an omission in the report of Working Group I, namely, that although a large number of States had ratified the Convention, they had never submitted reports to the Committee. The Working Group had suggested that the Secretary-General should insist on the need for such States to comply with their commitments and submit their reports.

9. Ms. JAVATE DE DIOS agreed with the view that the Committee should increase the number of State party reports taken up, given the fact that the General Assembly had granted a second annual session for the express purpose of dealing with the backlog of reports. Moreover, the Committee should spend more time on its concluding comments.

10. Ms. AOUIJ said that all the reports should be made available in the Committee's working languages and that higher priority should be given to initial reports.

11. Ms. BUSTELO GARCÍA DEL REAL said that 10 reports were perhaps too many. In her view, a maximum of nine reports, including one more periodic report, would be adequate to give the Committee time to prepare its concluding remarks and finish off the rest of its work.

12. Ms. ABAKA said due account should be taken of the fact that an increase in the number of reports to be considered would result in a corresponding increase in the workload of the pre-session working group.

13. The CHAIRPERSON said she would take it that the Committee agreed to take up 10 reports and that the Secretariat, in consultation with the Chairperson, would finalize the list of reports and ensure that there were fewer subsequent reports and more initial reports.

14. It was so decided.

15. The CHAIRPERSON invited the members of the Committee to consider the list of States parties whose reports would be considered at the Committee's eighteenth session.

16. Ms. GONZÁLEZ said the Permanent Mission of Mexico to the United Nations had informed her that, in principle, it would be submitting its third and fourth

periodic reports together. The dates scheduled for the submission of that country's reports should be maintained.

17. Ms. CARTWRIGHT said that the Committee should schedule the consideration of 10 reports, including at least one additional initial report and one additional periodic report.

18. Ms. ABAKA agreed with Ms. Cartwright's suggestion, but proposed further that the possibility should be left open to complete, at the following session, the adoption of any concluding comments which could not be completed at a given session.

19. Ms. CORTI said that the approach suggested by Ms. Abaka was in fact an established practice in other human rights treaty bodies.

20. Ms. TALLAWY said that the practice of other treaty bodies notwithstanding, it was always better to adopt the concluding comments at the end of the session in question.

21. Ms. ACAR said that the media attention focused on the Committee's work during its sessions would help to ensure the widest possible dissemination of States parties' reports and the Committee's concluding comments, if the latter were completed during the session in question.

22. The CHAIRPERSON said that she took it that the Committee agreed to consider 10 reports at its eighteenth session. In consultation with the Chairperson, the Secretariat would determine the list of States parties whose reports would be considered.

23. The report of Working Group I contained in document CEDAW/C/1997/WG.I/WP.2/Add.1, as orally revised, was adopted.

CEDAW/C/1997/WG.I/WP.2

24. Ms. ESTRADA CASTILLO, introducing the report of Working Group I contained in document CEDAW/C/1997/WG.I/WP.2, in the absence of the chairperson of the Working Group, noted that the Spanish version of the report was very poorly drafted and therefore difficult to understand. Moreover, it did not reflect the debate and conclusions of Working Group I.

Paragraph 2

25. Ms. SCHÖPP-SCHILLING said that Working Group I had concluded that there should be both a main and a back-up country rapporteur. The functions of the main rapporteur were to prepare the concluding comments and to seek additional information about the country in question, which she would present to the Committee in closed meeting. That information concerning the country rapporteurs and their functions should be incorporated in paragraph 2.

26. Ms. ESTRADA CASTILLO recalled that the Working Group had agreed that the main country rapporteur should also receive information from non-governmental organizations for communication to the Committee in closed meeting.

27. Ms. AOUIJ, supported by Ms. OUEDRAOGO, said that, while she agreed that country rapporteurs should receive information from non-governmental organizations, such information must be provided in the Committee's working languages. Where that was not done, the Secretariat should ensure that translations were made available in order to facilitate the consideration of the information by all members.

28. Ms. BUSTELO GARCÍA DEL REAL said that the proposal which had been made earlier in the session that Committee members should meet informally over lunch with representatives of non-governmental organizations discriminated against those members who spoke no English, since such informal meetings were usually conducted in English. The Committee should therefore devote all or part of a formal meeting at which interpretation services were available to consultations with the representatives of non-governmental organizations.

29. Ms. GONZÁLEZ sought clarification of the meaning of the last sentence of the Spanish version of paragraph 2. She was also of the view that the documents provided by non-governmental organizations, including information about their source, should be made available to all Committee members.

30. Ms. ESTRADA CASTILLO reiterated her view that the Spanish version of the report was virtually incomprehensible and should be redrafted.

31. Ms. Bustelo García del Real, Vice-Chairperson, took the Chair.

32. Ms. SCHÖPP-SCHILLING said that, based on the discussion so far, she wished to propose the following revision of draft paragraph 2:

> "In its discussion of concluding comments the Working Group described concluding comments as the most important communication of the Committee with the country concerned. After an exchange of views, the Working Group recommended that the Committee should maintain the current practice of one main country rapporteur with an additional back-up country rapporteur designated to prepare the concluding comment of the Committee with regard to each State party report. The expert nominated as the main country rapporteur would draft the comment and work in close collaboration with the back-up country rapporteur and the general rapporteur of the Committee. It was also recommended that the main country rapporteur should seek additional information about the country under discussion and present her findings as an introduction to the report in a closed session both for initial and subsequent reports. The concluding comment drafted thereafter would reflect the views expressed at the meetings during which the report was presented and not the view of the individual main or back-up rapporteur."

33. Ms. TALLAWY suggested that the country rapporteur should work not only with the general rapporteur of the Committee but also with the Secretariat, since new rapporteurs in particular might not be familiar with the language and format employed in United Nations documents. She also believed that the reference to the country rapporteur seeking additional information on her own should be deleted from the text.

34. Ms. CORTI supported the revision to the paragraph proposed by Ms. Schöpp-Schilling, but sought clarification of the role of the pre-session working group.

35. Ms. SCHÖPP-SCHILLING said that Working Group I had considered the practice whereby country rapporteurs introduced initial, but not subsequent, reports and made concluding comments. The Working Group had felt that a secondary function of the country rapporteur should be, in a closed meeting, to provide any additional information available before the country responded to the issues raised by the pre-session working group. The Committee thus needed to decide whether the country rapporteur should fulfil that additional function.

36. Ms. ESTRADA CASTILLO said that the Working Group had been of the view that the country rapporteur should introduce both initial and subsequent reports. Members often received last-minute information from non-governmental organizations in languages that not all members worked in. It would thus also be helpful for country rapporteurs to coordinate the receipt of such information and to synthesize it in an introductory statement before the country report was considered by the Committee. While that represented a new practice, it would broaden the information available.

37. The CHAIRPERSON said that there was thus a proposal that the country rapporteur, in addition to making a concluding comment, should introduce not only initial but also subsequent reports and that she should seek additional information and present it to the Committee. The rapporteur, in her concluding comment, should obviously reflect the Committee's views.

38. Ms. TALLAWY said that while there was no harm in the rapporteur presenting additional information, such information should not affect the concluding comment.

39. Paragraph 2, as orally amended, was adopted.

Paragraphs 3-5

40. Paragraphs 3-5 were adopted.

Paragraph 6

41. Ms. ESTRADA CASTILLO said that the "principal areas of concern" should not be addressed in the order of the articles of the Convention, but, rather, in accordance with the issues of primary concern in the country in question.

42. Ms. TALLAWY said that to the extent possible the Committee should seek to adopt comments of similar length for each State party, focus on the main obstacles to the advancement of women or implementation of the Convention, and confine itself to moderate language, avoiding such terms as "excellent" or "alarming".

43. Ms. CORTI said that the Committee should be flexible regarding the length of concluding comments, since some countries presented many more concerns than

others. Equally, the Committee should feel free to use stronger language where it was warranted.

44. Ms. SCHÖPP-SCHILLING agreed that the Committee's language should be more or less homogeneous, but that strong language should be used where appropriate. Other suggestions had emerged in the Working Group, to the effect that the Committee should always hold a closed meeting after its consideration of each State party's report to consider the general tenor of the concluding comment; that there should be reference to the Platform for Action, where a country had made commitments in that regard; and that there should always be a concluding paragraph on dissemination. Those points could be incorporated in a new, additional paragraph 7.

45. Ms. TALLAWY said that such a new paragraph should also reflect the need for balance in the Committee's consideration of issues relating to specific States parties. In that regard consideration of the content of the concluding comment in a closed meeting was very important.

46. Paragraph 6, as orally amended, was adopted.

47. The CHAIRPERSON said that a new, additional paragraph 7 would be drafted to incorporate the points raised by Ms. Schöpp-Schilling and Ms. Tallawy.

Paragraph 7

48. Ms. ESTRADA CASTILLO said that the second part of the second sentence, reading "and ensure that the advocacy role of such organizations was encouraged", was not clear and should be deleted. The practice of lunchtime meetings with non-governmental organizations was not adequate, as members speaking languages other than English could be left out. She noted the proposal that the rapporteur should compile information from non-governmental organizations. The Secretariat should also provide such organizations with a list of States parties whose reports were due to be considered, so that they could provide information to the experts in good time in their respective languages. The pre-session working group should be given responsibility for receiving reports from non-governmental organizations.

49. Ms. SCHÖPP-SCHILLING said that the Working Group had not reached consensus on relations with non-governmental organizations, so that paragraph 7 should reflect the need to continue consideration of the matter, which should thus appear on the provisional agenda for the seventeenth session. The Working Group had agreed that there should be lunchtime meetings with non-governmental organizations early in the seventeenth session to allow them to present information to Committee members. The paragraph should be amended to reflect the fact that no agreement had been reached on any other issues.

50. Ms. GONZÁLEZ agreed with Ms. Schöpp-Schilling on the wording of the paragraph. The Committee should insist that meetings with non-governmental organizations had interpretation services. Lastly, she noted that the United Nations Children's Fund was not the only agency that had had meetings with non-governmental organizations.

51. Ms. ABAKA questioned the practicability of some of the decisions proposed in paragraph 7. The paragraph presupposed that non-governmental organizations had a list of experts preparing concluding comments, or that the Secretariat would collect documents from non-governmental organizations and transmit them to the expert in question. Further consideration was needed.

52. Ms. TALLAWY agreed that the question of relationships with non-governmental organizations required further discussion at the seventeenth session. It would be useful to hold an informal meeting with non-governmental organizations, with interpretation services, early in the session, so that all members could benefit from their experience at the national level. Conversely, non-governmental organizations could report on what had happened in the Committee, so that there would be interaction between the Committee and non-governmental organizations at the international and national level.

53. Ms. LIN Shangzhen said that the Committee should not rush into defining its relationship with non-governmental organizations. Work was currently being undertaken at a system-wide level in the United Nations to examine the participation of non-governmental organizations in all areas of the Organization's work, including that of its treaty bodies. She proposed that the Committee should wait for the General Assembly to adopt a resolution on the relations between non-governmental organizations and United Nations treaty bodies before taking an appropriate decision on its own behalf.

54. The CHAIRPERSON said that the issue obviously required further discussion at the next session. A closed meeting should be organized, with interpretation, to enable Committee members to meet representatives of non-governmental organizations.

55. Ms. JAVATE DE DIOS said that the wording of the report should reflect the fact that the Committee welcomed the input of non-governmental organizations in its meetings and applauded their role in disseminating its work. It was not a question of whether non-governmental organizations should interact with the Committee, since they already did so, but simply a matter of regularizing their relationship. She endorsed the proposal by Ms. Lin Shangzhen to wait for the results of the broader discussion on non-governmental organizations at the level of the General Assembly.

56. Ms. ESTRADA CASTILLO said that States parties themselves freely admitted that they had made use of information provided by non-governmental organizations in compiling their reports. Paragraph 7 should spell out the Committee's intention to formalize its relations with non-governmental organizations. Moreover, non-governmental organizations should be informed well in advance which countries would be submitting reports to the Committee so that they could prepare the relevant material.

57. Ms. CORTI reminded the Committee that CEDAW was the only treaty body which had not regularized its relationship with non-governmental organizations.

58. The CHAIRPERSON said that a new paragraph reflecting the discussion would be submitted to the Committee in due course.

Paragraph 8

59. Ms. BARE said that the second sentence of paragraph 8, starting "Members should be able", should be deleted entirely. In the third sentence, beginning "It also recommended", the phrase "if possible" should be inserted after the word "regularization". The sentence beginning "The Working Group recommended that CEDAW participate fully" should be deleted in its entirety, and in the penultimate sentence, the phrase "could provide input into the elaboration of" should be replaced with the phrase "should take account of".

60. Ms. GONZÁLEZ said that the fourth sentence, beginning "It also recommended the regularization", was unclear. Not all treaty bodies had a mandate to make field visits, and in the case of those that did, such visits were dependent on the consent of the State party involved. Even if it were possible to make such visits, it would be unrealistic to expect Committee members to do so.

61. Ms. CORTI said that the field mission referred to in paragraph 8 had in fact been organized under the auspices of the United Nations Children's Fund (UNICEF) with the consent of the country involved. The paragraph should be recast to say that the Committee hoped that visits sponsored by UNICEF or any other specialized agency would continue. The reference to benefiting the host country added nothing and should be omitted.

62. The CHAIRPERSON suggested replacing the fourth sentence with the wording "The Committee welcomed the meeting of CEDAW and the Committee on the Rights of the Child."

63. Paragraph 8, as orally amended, was adopted.

Paragraph 9

64. Ms. GONZÁLEZ said that the recommendation that specialized agencies should seek to incorporate the principles of CEDAW into their work was perhaps too exacting. Such agencies had their own steering bodies which determined their principles and programmes. The third sentence of the paragraph should therefore be redrafted. In addition, she would appreciate clarification on the meaning of the last sentence.

65. Ms. BARE said that the concerns raised by Ms. González were points of style rather than substance. Specialized agencies should seek to incorporate the principles of CEDAW into their work only if their mandates clearly referred to the Convention on the Elimination of all Forms of Discrimination against Women. Similarly, the final sentence simply meant that the Committee might wish to identify a focal point for specialized agencies and other United Nations bodies whose mandates contained references to certain articles of the Convention, thereby enhancing the Committee's analysis of country reports in the light of additional input received.

66. Ms. CONNORS (Division for the Advancement of Women) said that the final sentence could be redrafted to read: "The Working Group recommended that the Committee should review its practice of nominating focal points for specialized agencies and other entities of the United Nations at its next session."

67. Ms. CORTI proposed that the word "review" in the final sentence should be replaced with the word "continue".

68. Ms. SCHÖPP-SCHILLING said that the word "review" should be retained because the whole concept of focal points had run into logistical problems. The issue needed further discussion.

69. The CHAIRPERSON suggested that the phrase "to develop its work" should be added to the end of the final sentence.

70. Ms. GONZÁLEZ proposed that the third sentence should be recast to read: "It recommended that specialized agencies, particularly those with field-level offices, keep in mind the principles and recommendations of CEDAW in defining their work programmes."

71. Paragraph 9, as orally amended, was adopted.

The meeting rose at 1.05 p.m.

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Sixteenth session

SUMMARY RECORD OF THE 333rd MEETING

Held at Headquarters, New York,
on Friday, 31 January 1997, at 3 p.m.

Chairperson: Ms. KHAN

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CLOSURE OF THE SESSION

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The meeting was called to order at 3.20 p.m.

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE (continued)

Adoption of the report of Working Group I (continued) (CEDAW/C/1997/WG.I/WP.2 and Add.1)

Paragraph 10

1. Ms. BARE, speaking as Chairperson of Working Group I, said that the Working Group had sought to establish a reciprocal relationship between the Committee and the Special Rapporteur on Violence against Women, its Causes and Consequences, whereby the Special Rapporteur would transmit to the Committee any information at her disposal concerning issues of violence against women within a particular country prior to the Committee's consideration of that country's report, and the Committee would then forward its concluding comments to the Special Rapporteur.

2. Ms. ABAKA suggested that the paragraph should include a reference to the decision taken by the Committee at the previous session to strengthen its relationship with the Special Rapporteur on Traditional Practices Affecting the Health of Women and Children.

3. Ms. BUSTELO GARCÍA DEL REAL recalled that at the previous session the Committee had requested the Secretariat to provide it with ongoing information on the work of the Special Rapporteur on Violence against Women. Such information was particularly relevant in that the Special Rapporteur's terms of reference instructed her to work in close cooperation with the Committee. It might therefore be appropriate to mention that request in the paragraph under consideration.

4. Ms. CORTI said it was disappointing that, despite the decisions to which the previous speakers had referred the Committee had never received any direct cooperation from the Special Rapporteur on Violence against Women or any of the other special rapporteurs. The Committee's relationship with the special rapporteurs should be similar to that of the other treaty bodies.

5. The CHAIRPERSON said she took it that the Committee wished to adopt the paragraph, on the understanding that it would be redrafted by the Secretariat along the lines proposed.

6. It was so decided.

Paragraph 11

7. Ms. BARE said that, while the Working Group was generally satisfied with the analyses prepared by the Secretariat concerning State party reports, it wished to be informed of the exact wording of any reservations entered by a State party, whether those reservations had been withdrawn and whether there had been any reactions by other States parties to those reservations. The Committee

should also be provided with current statistical information on the de facto situation of women in a particular country, which would obviate the need for the diagrammatic comparisons of State party reports provided by the Secretariat.

8. Ms. ESTRADA CASTILLO recalled the Committee's earlier decision to request the Secretariat to include in its analyses a comparison between the Committee's recommendations concerning a State party's report and the degree to which subsequent reports reflected the implementation of those recommendations.

9. Ms. GONZALEZ MARTÍNEZ agreed that the Committee needed to have the text of reservations and other information mentioned in the paragraph; she recalled, however, that at the start of each session, members of the Committee were provided with a list of the States parties which had entered reservations. While she was not certain of what was meant by "diagrammatic comparisons", it was her understanding that the term referred to the Secretariat's analysis of the degree to which the Committee's recommendations had been implemented in subsequent reports of State parties. For that reason, she believed that, rather than stating in the final sentence of the paragraph that the diagrammatic comparisons were not necessary, it would be preferable to delete any reference to them, so as to make it clear that the Secretariat should concentrate on providing the information requested concerning reservations.

10. The CHAIRPERSON said that the list to which the previous speaker had referred was submitted to the biennial meeting of States parties.

11. Ms. CONNORS (Division for the Advancement of Women) suggested that the paragraph should call for the provision by the Secretariat of an analysis of whether the Committee's concluding comments had been responded to in the State party's report.

12. The CHAIRPERSON said she took it that the Committee wished to adopt the paragraph subject to its amendment along the lines suggested by the previous speaker.

13. It was so decided.

Paragraph 12

14. Ms. BARE said that, on the basis of further deliberations, the Working Group proposed to delete the first two sentences of the paragraph and to insert the following:

> "The Working Group recommended that, on the basis of written observations by members of the Committee, as well as its own observations, a short list of questions should be formulated, concentrating on major areas of concern in regard to the implementation of the Convention by the respective State party."

The rest of the paragraph would remain unchanged.

15. Paragraph 12, as orally revised, was adopted.

Paragraph 13

16. The CHAIRPERSON said she took it that the members of the Committee wished to delete paragraph 13, in view of the decision just adopted with regard to paragraph 12.

17. It was so decided.

Paragraph 14

18. Ms. BARE said that, in order to encourage a more constructive dialogue between the Committee and reporting States, the Working Group recommended that questions should be submitted to States at least six months prior to the consideration of their reports, and that their replies should also be transmitted well in advance. That would shorten the time required for the presentation of the reports to one hour, after which the members of the Committee could pose additional questions for a period of up to four hours.

19. Ms. ABAKA said that the paragraph should indicate that the new procedure applied to the presentation of subsequent reports, not of the initial report.

20. Ms. CONNORS (Division for the Advancement of Women) proposed that the paragraph should be amended to read:

> "The Working Group suggested that guidelines should be formulated for States parties with regard to their presentation of subsequent reports. Those guidelines should be part of the Committee's guidelines for the preparation of reports. The guidelines should indicate that the State party presenting its report would address the committee for up to one hour, and the Committee would involve itself in constructive dialogue for up to one and a half meetings."

21. Paragraph 14, as orally amended, was adopted.

Paragraph 15

22. Ms. BARE said that the intention behind the paragraph was to allow members of the Committee, at the end of each session, to identify areas of concern for the State party's next report, and to gather the necessary information.

23. Paragraph 15 was adopted.

Paragraph 16

24. Ms. GONZÁLEZ MARTÍNEZ said that the would appreciate clarification of the objectives of the proposed seminar on reservations and those to whom it would be addressed.

25. Ms. TALLAWY said that the intention behind the paragraph was for the Committee to avail itself of a share of the budget for technical and advisory services of the Centre for Human Rights. It would be helpful if legal experts could advise the Committee on how to overcome the problem of reservations.

26. The CHAIRPERSON said that it would be useful for the Committee to familiarize itself with the varying schools of thought which existed in Muslim countries as to the interpretation of Islamic law and its implications for the Convention.

27. Ms. GONZÁLEZ MARTÍNEZ expressed appreciation for the clarifications provided; she suggested, however, that a more appropriate topic for the proposed seminar would be the relationship between the Convention and the legislation of States parties which had entered reservations. Such seminars could perhaps be organized on a regional basis; in view of the Organization's current financial crisis, however, it was unlikely that any funds would be allocated for that purpose. Another possibility might be to request the Secretariat or the Economic and Social Council to convene such a seminar with the co-sponsorship of another body, such as the International Law Commission or the United Nations Institute for Training and Research.

28. Ms. BARE proposed that, in the light of the previous speaker's comments, the words "and to examine funding requirements" should be added to the second sentence of the paragraph.

29. Paragraph 16, as orally revised, was adopted.

Paragraph 17

30. Ms. GONZÁLEZ MARTÍNEZ said that, prior to the current session, she had received an initial version of the revised draft rules of procedure prepared by Ms. Bernard, followed by a later version containing further revisions. She had prepared comments on the texts and had forwarded them to the Secretariat in the expectation that a summary of views would be circulated to all members of the Committee; no such document, however, had been forthcoming. She therefore failed to understand how the Working Group could have completed a first reading of the revised draft rules of procedure without an exchange of views among the members of the Committee. In the absence of written comments, it was very difficult for those members of the Committee who were not fluent in English to participate in such an exchange.

31. Ms. BARE said that the Working Group had not had an opportunity to complete the first reading of the revised draft rules of procedure. In the light of the previous speaker's comments, she suggested that the members of the Committee should examine the text prepared by Ms. Bernard and submit written comments to Ms. Tallawy, who would forward them to the Secretariat, which would, in turn, transmit them to Ms. Bernard.

32. Ms. TALLAWY said that the rules of procedure were very important for the Committee's future work. The Committee needed time to study the text carefully; it might be appropriate to seek legal guidance, so as to ensure that the Committee would not be hampered by overly rigid rules. She suggested that the Secretariat should prepare a list of the elements that were missing from Ms. Bernard's draft.

33. Ms. FERRER GÓMEZ said that the consideration of the revised draft rules of procedure could not really be described as a "first reading". Moreover, in her view, the paragraph did not reflect the discussion which had taken place in the Working Group. In any discussion of the working methods of the Committee, technical support was crucial. In planning for the next session, it would be important to leave time for the Committee as a whole to debate the concluding comments on State party reports and the rules of procedure. Time pressures at the current session had prevented a full exchange of views among Committee members.

34. Ms. TIMOTHY (Division for the Advancement of Women) said that it was the responsibility of the Secretariat to collect all comments on the rules of procedure, then transmit them, through Ms. Tallawy, to Ms. Bernard.

35. Ms. CONNORS (Division for the Advancement of Women) suggested the following wording for paragraph 17: "The Working Group began consideration of the revised draft rules of procedure prepared by Ms. Bernard. The Working Group decided that these and any additional comments would be submitted to Ms. Tallawy via the Secretariat, which would then submit them to Ms. Bernard. They would be reflected in her revised draft for the seventeenth session." The final sentence of the existing paragraph would be retained.

36. Paragraph 17, as orally revised, was adopted.

Paragraph 18

37. Ms. ESTRADA CASTILLO recalled that the Working Group had decided to make a special request to the Secretariat regarding the organization of working groups and the support required by Committee members. Such support should be provided by a regular group of Secretariat members with the necessary experience and knowledge to enable them to answer questions from the members quickly or to arrange consultations with third parties as necessary.

38. Ms. BARE said that the Committee had low visibility compared with the other human rights treaty bodies, and the Secretariat was being asked to look into the availability of resources from the Centre for Human Rights to raise the profile of the Committee. Staff of the Centre and former Committee members could be called on to contribute to those efforts in an advisory capacity.

39. Ms. GONZÁLEZ MARTÍNEZ requested clarification of how CEDAW experts would be used for technical and advisory services.

40. Ms. TALLAWY said that the Working Group had discussed the idea of holding seminars in order to promote certain objectives of the Convention, to be funded by a portion of its budget for advisory services. She suggested that paragraphs 16 and 18 could be combined by removing the reference in paragraph 16 to reservations. The last sentence of paragraph 18 was unclear; it should be amended to read: "It further recommended that the expertise of both previous and present CEDAW experts should be used in such activities."

41. Paragraph 18, as orally revised, was adopted.

42. Ms. BARE said that, because of the concern about long-overdue initial reports of States parties, a paragraph should be added to address ways to encourage States parties to submit their reports in a timely manner. Working Group I had recommended that, on an exceptional basis and as a temporary measure, States parties should be invited to combine up to three reports, in order to encourage their participation.

43. Ms. ABAKA said that, while she agreed that the backlog must be dealt with, combining three reports would lead to problems with follow-up in the areas of progress and obstacles to implementation, because of the long time span that many reports would encompass. She suggested that only two reports should be combined.

44. Ms. CONNORS (Division for the Advancement of Women) suggested the following wording, should the Committee decide to include an additional paragraph: "The Committee decided, on an exceptional basis and as a temporary measure, to invite States parties to combine up to two reports in order to address the backlog of reports awaiting consideration and in order to encourage States parties to report in a timely fashion."

45. It was so decided.

46. Ms. TALLAWY said that, at the next session, she hoped that the Secretariat would provide more technical support to Working Group I, in the form of a fixed room for its meetings, a greater share of the available interpretation services, and the opportunity to revise drafts before they were sent for translation.

PROVISIONAL AGENDA FOR THE SEVENTEENTH SESSION OF THE COMMITTEE (CEDAW/C/1997/WG.I/WP.2/Add.1)

47. The provisional agenda for the seventeenth session was adopted.

Pre-session working group

48. The CHAIRPERSON drew attention to the list of Committee members participating in the pre-session working group for the seventeenth session. Ms. González Martínez had informed her that she would be unable to serve as an alternate, however. She would take it that the Committee agreed to the composition of the group.

49. It was so decided.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION (continued)

Report of Working Group II (CEDAW/C/1997/WG.II/WP.2, Corr.1, Add.1 and 2)

50. Ms. ABAKA, speaking as the Chairperson of Working Group II, said that the Working Group had considered three main topics during the current session: the specialized agencies and their inputs into the implementation of the Convention, the draft optional protocol and draft general recommendation No. 23 on articles 7 and 8. It fully endorsed the views of Working Group I with regard to the specialized agencies. The Working Group had decided that Ms. Cartwright

would be the consultant from CEDAW to the Open-ended Working Group of the Commission on the Status of Women on an optional protocol to the Convention.

51. The Working Group had been dealing with the draft general recommendation on articles 7 and 8 for three years and, at the current session, had merged the old and new texts. The Commission on the Status of Women would address the issue of decision-making at its upcoming session, and if the Committee could agree on the text, it could be transmitted to the Commission for consideration.

52. With regard to a tentative future programme of work, the Working Group planned to hold an open discussion to initiate a general recommendation on article 12, women's health, at the seventeenth session of the Committee. There had been some discussion of addressing articles 2 and 4 as well.

53. Ms. CARTWRIGHT reviewed the combined text of draft general recommendation No. 23 on articles 7 and 8 and urged the Committee to adopt it at the current session.

54. Ms. TIMOTHY (Division for the Advancement of Women) read out changes proposed by Ms. González Martínez to the draft general recommendation contained in document CEDAW/C/1997/WG.II/WP.2. In paragraph 4, reference should be made to the text adopted by the Organization of American States (OAS). In paragraph 6, the word "periodic" should be deleted. In paragraph 7, the words "reviewing their laws and policies" should be replaced with the words "implementing or enforcing fully the Convention". In paragraph 12, the words "in some countries" should be inserted after the words "lives of their communities". In paragraph 15, the first sentence should be replaced by the sentence "No political regime, in spite of the rights given to women by law, has attained in practice full participation under equal conditions." Lastly, in paragraph 16, the last sentence should be deleted.

55. Ms. GONZÁLEZ MARTÍNEZ said that it would be very risky for the Committee to adopt the text immediately, without seeing it in final form, considering its great importance. She asked whether the text was to be presented at the forthcoming session of the Commission on the Status of Women.

56. Ms. CARTWRIGHT said that she hoped that the Committee could adopt the substance of the draft at the current meeting; the text would then be edited for submission to the Commission on the Status of Women and dissemination at the Committee's seventeenth session. A great deal of time had already been spent on the text, and the general recommendation would be a useful input for the Commission's forthcoming session.

57. Ms. FERRER GÓMEZ said that the Committee should confine itself to a preliminary exchange of views at the current meeting, since the draft was very important and required careful study by the Committee members. The Committee could adopt the draft at its next session.

58. Ms. BUSTELO GARCÍA DEL REAL asked Ms. González Martínez and Ms. Ferrer Gómez to clarify their views on the text and to put forward any proposed additions, deletions or changes so that the Committee could adopt the draft immediately.

59. Ms. AOUIJ said that she would not object to adopting the draft if a majority of the Committee members were in favour of doing so, but that the draft had been analysed by only those experts who had participated in Working Group II. The next time the Committee intended to adopt a general recommendation of such importance, it should ensure that all members had an opportunity to participate in the debates on the matter.

60. Ms. GONZALEZ MARTÍNEZ said that the draft general recommendation under consideration was essential to the work of the Committee, to its image and to the implementation of the Convention. She agreed with Ms. Cartwright that the Committee should adopt only the substance of the recommendation at the current meeting, and should adopt the final text at its July session. It could then provide the Commission on the Status of Women with a summary of the contents of the general recommendation. It was impossible to adopt the text at the current meeting, since not all of the Committee members were present and the text contained a number of repetitions and ambiguities. She cited several examples, noting inter alia that the word "gender" in the penultimate sentence of paragraph 18 was inappropriate and should be replaced by the word "sex", and that she disagreed with the reasoning of the penultimate sentence of paragraph 13, which blamed women's under-representation in certain areas of political life on their low involvement in professions from which politicians were recruited. Politicians came from all walks of life; they were not "recruited" from specific sectors.

61. The CHAIRPERSON said that Ms. Cartwright would participate in the debates of the Commission on the Status of Women regarding the proposed optional protocol to the Convention. The Committee should therefore adopt the draft general recommendation in principle and entrust Ms. Cartwright with the task of editing it without changing its substance. The final text would be available for adoption, in all official languages, at the Committee's next session.

62. Ms. JAVATE DE DIOS said that the Committee should recognize the amount of work which had gone into the text and should adopt it in principle at the current meeting. She asked whether Ms. Cartwright would make any statement on behalf of the Committee at the session of the Commission on the Status of Women.

63. Ms. TALLAWY said that Working Group II had done excellent work and that the Committee must seize the opportunity to submit the general recommendation to the Commission on the Status of Women. Moreover, Ms. González Martínez had been a member of Working Group II. The Committee should adopt the text in principle; any proposed changes, especially from members of Working Group I, could be incorporated into it before it was submitted to the Commission. If the Committee found, at its July session, that parts of the text were still controversial, it could make the appropriate amendments. However, it should not spend its next session discussing the same issues; that would only be a waste of time and effort. The lesson to be drawn from the current experience was that the work of the two working groups should be discussed by all Committee members in the Working Group of the Whole.

64. Ms. AOUIJ said that if the Committee adopted the draft general recommendation at the current meeting, there would be no need to go back to it at the next session. If the draft general recommendation was approved in

principle, it was not clear in what form it would be presented to the Commission on the Status of Women.

65. The CHAIRPERSON said that there was a procedure in other treaty bodies of approving general recommendations and then reviewing or revising them at a later stage; the Committee must take into account the time constraints, and the urgency of the subject-matter.

66. Ms. ABAKA said that there was a precedent in the Committee itself; the Committee had approved general recommendation 16 in substance and then reviewed it at its next session.

67. The CHAIRPERSON said that she took it that the Committee wished to approve draft general recommendation No. 23 in substance, and to adopt the report of Working Group II as contained in documents CEDAW/C/1997/WG.II/WP.2 and Corr.1 and Add.1-3.

68. It was so decided.

ADOPTION OF THE REPORT OF THE COMMITTEE ON ITS SIXTEENTH SESSION (CEDAW/C/1997/L.1 and Add.1-12)

69. Ms. ABAKA said that the report of the pre-session working group (CEDAW/C/1997/L.1/Add.12) must indicate who the rapporteurs would be for each State party report.

70. Ms. TIMOTHY (Representative of the Secretary-General) said that the following information should be added to the report: the persons designated for attendance at the pre-session working group at the seventeenth session of the Committee were Ms. Aouij, Ms. Acar, Ms. Estrada and Ms. Javate de Dios. The alternates were Ms. Bustelo García del Real, Ms. Khan and Ms. Ouedraogo. The country rapporteurs, on the basis of the list of country reports approved for consideration at the seventeenth session, would be Ms. Bustelo García del Real for Argentina, Ms. Estrada for the Dominican Republic, Ms. Acar for Italy and Ms. Javate de Dios for Bangladesh. The following persons would be the country rapporteurs for the initial reports to be taken up at the seventeenth session: Ms. Bernard for Antigua and Barbuda, Ms. Corti for Armenia, Ms. Ryel for Israel and Ms Abaka for Namibia or Zimbabwe.

71. Responding to a question from Ms. AOUIJ, she said that Ms. Aouij would be the country rapporteur for the report of Argentina, and Ms. Bustelo García del Real would be an alternate.

72. Ms. BUSTELO GARCÍA DEL REAL said that she could accept that change. However, since the Committee had decided that two additional reports should be taken up at the next session, it needed to know which reports those would be, and who the rapporteurs would be.

73. The CHAIRPERSON said that the Committee had agreed that the selection of the two additional reports would be made in consultation between the Secretariat and herself; if there was a problem, she or the Secretariat should be informed, and a change could be made.

74. Ms. ACAR recalled that the Committee had decided that there should be back-up rapporteurs for each report. She asked what procedure would be followed.

75. The CHAIRPERSON said that, as in the past, the Secretariat and the Chairperson would designate the back-up rapporteurs after making arrangements with States parties for the presentation of reports; members of the Committee could indicate their preferences on the basis of the existing list of reports.

76. Ms. SATO said that her name should be included in the list of members of Working Group I shown in paragraph 21.

77. The report of the Committee on its sixteenth session, as orally amended, was adopted.

CLOSURE OF THE SESSION

78. Ms. KING (Director, Division for the Advancement of Women) said that the Committee had achieved a great deal at the current session; it had improved its methods of work; it had considered all the reports allocated for consideration at the session; and it had carried out detailed work on the investigation of certain trends, including violence against women, especially domestic violence. It had also considered the type and nature of the discrepancies between the de facto and de jure situation of women.

79. The CHAIRPERSON said that the sixteenth session was very special because it was the first session held since the Committee had made the transition to holding two sessions a year, in an effort to clear the backlog and move forward with the additional work deriving from the Fourth World Conference on Women.

80. She declared the session closed.

The meeting rose at 5.45 p.m.

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Seventeenth session

SUMMARY RECORD OF THE 334th MEETING

Held at Headquarters, New York,
on Monday, 7 July 1997, at 10 a.m.

Chairperson: Ms. KHAN

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WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

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97-81600 (E)

The meeting was called to order at 10.50 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared open the seventeenth session of the Committee on the Elimination of Discrimination against Women (CEDAW).

2. Ms. TIMOTHY (Representative of the Secretary-General) said that the current session was a historic occasion, as it was the first time the Committee was meeting for the second time in a single year. The General Assembly had approved the holding of two sessions annually as an interim measure pending the acceptance, by two thirds of the State parties to the Convention on the Elimination of All Forms of Discrimination against Women, of the proposed amendment to article 20, paragraph 1, of the Convention. Although only 14 States parties had accepted the proposed amendment thus far, the holding of two sessions a year should facilitate the Committee's work.

3. Since the Committee's last session, five more countries had become parties to the Convention: Kyrgyzstan, Switzerland, Mozambique, Lebanon and Turkmenistan. In addition, the open-ended working group which the Commission on the Status of Women had established to elaborate an optional protocol to the Convention had made significant progress at its March 1997 meeting. It had considered a draft prepared by its chairperson on the basis of the Committee's suggestion 7, adopted at its fourteenth session, and the comments of States parties thereon. The contribution of Ms. Cartwright, the Committee member who had served as a resource person for that working group, had been of great value.

4. To mark the fiftieth anniversary of the establishment of the Commission on the Status of Women, the Secretary-General had addressed the Commission during its forty-first session and had highlighted the Convention on the Elimination of All Forms of Discrimination against Women as one of the Commission's central achievements.

5. At its next session, the Commission on the Status of Women would review four critical areas of concern from the Platform for Action adopted at the Fourth World Conference on Women, which were also of central importance to the Committee: violence against women, women and armed conflict, human rights of women and the girl child. To help prepare for the Commission's next session, the Division for the Advancement of Women would convene expert group meetings on those issues; it would welcome the Committee's insights on the substance of those meetings.

6. The year 1998 would mark both the fiftieth anniversary of the Universal Declaration of Human rights and the fifth anniversary of the second World Conference on Human Rights, held in Vienna, at which the importance of the Convention and the Committee had been highlighted and the development of an optional protocol had been recommended. To prepare for those anniversaries, the Division for the Advancement of Women was working with many of the non-governmental organizations that had successfully lobbied for recognition of women's rights as human rights at the Vienna Conference; the Committee might wish to reflect, at its current session, on how it would mark those events.

7. In accordance with the request made by the Committee at its sixteenth session, the Secretariat would facilitate meetings with non-governmental organizations beginning at the current session. She congratulated the members of the pre-session working group on the results of their efforts, and noted that the Committee might wish to reflect further on the approach of that working group and, in particular, on how the Division for the Advancement of Women could be of assistance to it.

8. Although the Committee had decided at its preceding session that its pre-session working group should meet immediately after each session, instead of immediately before, and the Secretariat had made arrangements to accommodate that change, not enough members would be available to attend a pre-session working group meeting immediately after the current session. Consequently, the Committee might wish to reconsider when to introduce that innovation.

9. A report on enhancing the long-term effectiveness of the United Nations human rights treaty bodies had been prepared by an independent expert and submitted to the Commission on Human Rights, which, in turn, had invited the Secretary-General to solicit views on the report. She looked forward to receiving the Committee's comments on the report's recommendations, for subsequent transmittal to the Commission at its next session. Lastly, she wished the Committee every success at its current session.

SOLEMN DECLARATION BY THE NEW MEMBER OF THE COMMITTEE

10. Ms. Sinegiorgis, the re-elected member of the Committee, made the solemn declaration provided for in rule 10 of the Committee's rules of procedure.

ADOPTION OF THE AGENDA AND ORGANIZATION OF WORK (CEDAW/C/1997/II/1)

11. The CHAIRPERSON said that the officers of the Committee recommended that the recently submitted third periodic report of Italy should be considered on the basis of the original English text only, on an exceptional basis.

12. The agenda was adopted.

REPORT OF THE CHAIRPERSON ON ACTIVITIES UNDERTAKEN BETWEEN THE SIXTEENTH AND SEVENTEENTH SESSIONS OF THE COMMITTEE

13. The CHAIRPERSON said that the interim measure authorizing the Committee to meet twice a year had removed a serious impediment to the Committee's effective performance. The only United Nations-sponsored activity which she had attended in her capacity as Chairperson of the Committee had been the forty-first session of the Commission on the Status of Women, whose open-ended working group on a draft optional protocol to the Convention had been of particular interest to the Committee. She congratulated Ms. Cartwright on her excellent performance in that working group and asked her to report to the Committee on the outcome of its deliberations.

14. The Commission had adopted agreed conclusions based on panel discussions and exchanges of views among Governments. The critical area of the Platform for Action which the Commission had considered included women and economy, women and environment, women in power and decision-making, and the education and training of women. Moreover, the Commission had adopted eight resolutions addressing issues such as trafficking in women and girls, women in armed conflicts and violence against women migrant workers.

15. In April 1997 she had participated in an international round table on equal opportunities for women, held in Amman, Jordan. The discussions had focused on strategies for action in the areas of law, political processes and social and cultural norms; all three topics had been discussed in the light of the Convention. Her presentation had focused on the Convention in relation to Muslim countries. The round table had recommended that the Convention should be ratified without reservations and that enforcement and monitoring mechanisms for the Convention should be strengthened at the international level.

16. In May 1997 she had attended a round table in New Delhi, India, on the reform of the United Nations system and had given a presentation on the role of civil society in the implementation of the Convention. The round table had recommended, inter alia, that the United Nations should give individuals and organizations opportunities to petition for action to redress wrongs that could endanger people's security; that idea was very much in line with the draft optional protocol to the Convention

17. In February 1997 she had been invited by the Government of the Islamic Republic of Iran to give a presentation on the Convention and the Committee; that had been the first time any Committee member had been invited to that country in that capacity. The invitation had demonstrated the Iranian Government's interest in the Convention as a human rights instrument, and could mean that the Islamic Republic of Iran intended to ratify the Convention in the near future.

18. In May 1997 she had visited South Africa at the invitation of a non-governmental organization and had participated in three workshops to explain the Committee's working procedures and to share her experiences in the provision of training on the subject of the Convention. An informal meeting in which many tribal chiefs had participated had represented a sincere attempt by the South African Government to sensitize community leaders to the Convention and its implications with regard to discriminatory common laws prevailing in the region.

19. She had also participated in a number of workshops, seminars and training programmes on the Convention, including the preparation of training manuals, in her own country, Bangladesh.

20. With respect to her contacts with Committee members, Ms. Cartwright had submitted a number of suggestions on procedures for developing general recommendations, which had been supported by Ms. González and Ms. Shalev. Moreover, Ms. Shalev had prepared a draft general recommendation on health and a paper on the reporting system in the Committee.

21. The Committee's relations with non-governmental organizations had been strengthened. Those organizations helped to spread awareness of the Committee

and to develop strategies for implementing the Convention. In particular, International Women's Rights Action Watch (IWRAW) had again prepared an analytical report on the countries whose reports would be considered at the current session. Many non-governmental organizations had asked that the draft optional protocol to the Convention should be circulated more widely so that they could provide inputs and encourage Governments to adopt it.

22. The revision of the Committee's rules of procedure, especially in the light of the draft optional protocol, was one of the most important tasks before the Committee at its current session. Lastly, although 160 countries had ratified the Convention, only 65 had prepared a national plan of action in the context of the Platform for Action adopted at the Fourth World Conference on Women. The Committee must see that the Platform for Action was implemented nationally and globally as a fulfillment of the provisions of the Convention.

23. Ms. CARTWRIGHT said that the draft optional protocol to the Convention, which had been considered by the open-ended working group of the Commission on the Status of Women, was a means by which complaints of violations by States parties of the provisions of the Convention or their failure to implement those provisions could be communicated directly to the Committee. Three other human rights instruments (the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination) already had similar mechanisms.

24. The working group of the Commission on the Status of Women had made enormous progress on the draft optional protocol. However, some major issues had not yet been resolved and would be discussed further at the next working group meeting in March 1998. For example, the question of who was eligible to submit a communication had not yet been settled. One view held that only those who were directly affected by a State party's non-compliance with the Convention should be allowed to submit communications, while the Committee had expressed the view, on various occasions, that groups should be allowed to submit communications on behalf of those affected.

25. The adoption of the draft optional protocol would have major implications in the area of resources, as additional meeting time to allow for consideration of communications would be necessary. There was also support for an inquiry procedure, whereby the Committee could initiate the process of examining a particular situation, with the cooperation of the State party, of course.

26. Work would soon begin on the rules of procedure for the draft optional protocol, as early as the next session of the working group. They were expected to be ready for adoption by 1998 or 1999.

27. Ms. CORTI reported on the seventh meeting of persons chairing the human rights treaty bodies and the meeting of Special Rapporteurs on human rights, as well as the consideration of issues relating to women at the fifty-third session of the Commission on Human Rights. In her statement to the Commission on behalf of the persons chairing the human rights treaty bodies, she had stressed their lack of visibility and had asked the Commission to give more attention to their work. For example, CEDAW had not been invited to participate in the preparatory work for the Fourth World Conference on Women, nor had the relevant treaty

bodies been involved in preparations for the World Conference on Human Rights and the World Summit for Social Development. It was evident that the United Nations system must review the role of such bodies.

28. She had also represented the Committee at the meeting of Special Rapporteurs on human rights, but unfortunately the Special Rapporteur on violence against women had not been present. The Committee must follow the example of other treaty bodies and increase its efforts to establish a closer working relationship with the Special Rapporteur, which would be of direct interest to its work and of mutual benefit.

29. Like the other treaty bodies, the Committee must maintain constant contact with the Centre for Human Rights, and should work within the Commission on Human Rights to bring greater attention to issues affecting women.

30. Ms. GONZÁLEZ agreed that the relationship between the Committee and the Commission on Human Rights was very important, and asked the Secretariat to provide members with copies of resolutions of the Commission on Human Rights as well as the Commission on Crime Prevention and Criminal Justice which were related to its work.

31. Ms AOUIJ said that contacts and cooperation between the Committee and the Special Rapporteur on violence against women could help to relieve the suffering of the world's women. In fact, all Special Rapporteurs should be sensitized to women's issues and should be asked to incorporate a gender perspective into their work.

32. With regard to questions prepared by the pre-session working group, she would welcome the possibility of incorporating questions submitted by non-governmental organizations, and asked that the possibility should be considered during the review of the rules of procedure.

33. Ms. BUSTELO GARCIA DEL REAL said that she would welcome more details on article 2 of the draft optional protocol, as the question of standing was, in her view, of the highest importance. She also wondered whether the draft optional protocol would allow the submission of communications regarding violence against women.

34. The Committee should make more effective use of the work of the Special Rapporteur on violence against women. Perhaps her reports could be used as a guide in formulating more relevant questions on State parties' reports.

35. Ms. CARTWRIGHT said that the original debate regarding the proposal under article 2 had been whether to limit standing to individuals or groups of women directly affected by violations of human rights or failure to implement the terms of the Convention, or to permit groups or organizations to lodge complaints on behalf of such women. The working group had been given a great deal of information emphasizing the need to allow the latter alternative, in view of the nature of violations of women's rights. That debate had yet to be resolved, and would continue at the next session of the Commission on the Status of Women.

36. With respect to the ability to lodge complaints about violence against women, she said that while such violence was not specifically mentioned as a violation of human rights in the Convention itself, general recommendation 19 had interpreted the Convention to imply that violence against women constituted a human rights violation. In the course of developing its rules of procedure, the Committee should be able to refer to that general recommendation in allowing such complaints to be addressed.

37. Ms. ABAKA inquired as to whether the Special Rapporteur on traditional practices had attended the meeting of Special Rapporteurs, and recalled the Committee's decision at its previous session to develop closer working relationships with the Special Rapporteur in its field of concern.

38. Ms. CORTI said that neither the Special Rapporteur on traditional practices nor the Special Rapporteur on minorities had attended the meeting, which in any case had not dealt with the work of Special Rapporteurs in the Committee's field of concern. However, the Special Rapporteurs had expressed general dissatisfaction with their substantive status within the Organization, and the apparent lack of an organic relationship between them and the United Nations.

39. Secondly, she inquired as to whether the Division for the Advancement of Women envisaged the participation of the Committee in the meetings the Division was preparing, as described by Ms. Timothy.

40. Finally, she stressed the need for members of the Committee to receive reports from States in a timely manner and in all official languages, especially in view of the increasing length and complexity of such reports.

41. Ms. SHALEV said that Geneva would be a better location for the Committee, in view of the presence of other United Nations human rights bodies there. She also asked why the comments of other human rights treaty bodies on the reports of States parties to the Convention had not been made available to members of the Committee for the current session.

42. Ms. AOUIJ, responding to Ms. Cartwright's comments on the status of violence against women in the Convention, said that the optional protocol should clearly deal with the recommendations of the Committee as well as the provisions of the Convention itself, as those recommendations constituted the Committee's jurisprudence. She also called on the Secretariat to ensure the timely submission and translation of the reports of States parties.

43. Ms. CARTWRIGHT said that, while the Committee's general recommendations indeed constituted pat of the jurisprudence that had been developed under the Convention, such recommendations did not have the same legal force as the articles of the Convention itself. Therefore, it was the Committee's responsibility to ensure that any matters that had been the subject of a general recommendation which might give rise to a complaint under the optional protocol should be processed in the same way as complaints arising under articles of the Convention.

44. Ms. JAVATE DE DIOS (Rapporteur) said that the Committee should anticipate future developments regarding acceptance of the optional protocol by taking time to discuss some of the remaining substantive and procedural issues. The

Committee should also work to strengthen and regularize its relationships with other treaty bodies by, for example, informing them of emerging trends on the basis of the reports of States parties under review by the Committee. Moreover, the Committee should maintain its close contacts with the various non-governmental organizations and clarify the nature of its relationships with them.

45. Ms. GONZÁLEZ stressed the need to deal with the problems of the large number of reports pending and the voluminous size of the reports received, with a view to achieving the objective of eliminating the backlog; the issues could be taken up in the working groups. It was the Committee which had requested States parties for more detailed information, including statistical information, and she considered such information very useful. She was concerned about the late submission of reports, however, and the non-availability of reports, in all the working languages.

46. One problem faced by special rapporteurs was that there was no contact between them; moreover, in many cases the Commission on Human Rights did not even take up their reports, so that the special rapporteurs did not know whether they were on the right course, and there was duplication of work.

47. Ms. ABAKA said that it was possible that the Special Rapporteur on violence against women, and the special rapporteurs concerned with traditional practices and minorities, had not been invited to the meeting of special rapporteurs; if so, the organizers must be informed of the need to invite them. There could be no discrimination in that respect.

48. Ms. CORTI said that all the special rapporteurs had been invited to the meeting of special rapporteurs. The Committee would have to see how the three special rapporteurs in question were able to justify their absence.

49. Non-governmental organizations were very important to the Committee's work; the Committee should include provisions in its rules of procedure about its relationship with non-governmental organizations.

50. Ms. TIMOTHY (Deputy Director of the Division for the Advancement of Women) said that it was envisaged that 8 to 10 members of the Committee would participate in the expert group meetings to be held in preparation for the forty-second session of the Commission on the Status of Women; the Committee would also participate in the celebration of the fiftieth anniversary of the Universal Declaration of Human Rights. The representatives would be selected by the Secretary-General, bearing in mind the need for equitable geographical distribution; there would be consultations with the Chairperson in that respect.

51. The concluding comments and observations by other treaty bodies would be made available during the course of the day. At the afternoon meeting, the Committee would be briefed on the status of documentation and would be given a timetable for receipt of documentation in all languages.

52. On the question of the relationship of special rapporteurs to the Committee, she said that the reports of the Special Rapporteur on violence against women had been sent to all members of the Committee. The Secretariat agreed that much needed to be done to improve the relationship between special

rapporteurs and the United Nations - an issue which was not limited to areas in which the Committee was interested. The Secretariat was committed to improving that relationship.

53. On the question of the need for the Committee to be more closely aligned with other treaty bodies, the primary mechanism was the meetings of chairpersons of treaty bodies. The Division contributed actively to the preparations for those meetings. The first meeting of representatives of human rights treaty bodies to take up a specific subject area had been held in Glen Cove, United States, in December 1996, and it was to be hoped that there would be other such meetings.

54. The Director of the Division for the Advancement of Women had addressed the Human Rights Committee earlier in the year; the Secretariat was also making efforts to establish links with the Committee on Economic, Social and Cultural Rights as part of the mainstreaming of women's issues in the human rights treaty regime.

IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE

55. Ms. CONNORS (Chief of the Women's Rights Unit, Division for the Advancement of Women) recalled that, at its tenth session, the Committee had decided that, under item 6, it would provide opportunities for specialists from the specialized agencies and other United Nations bodies to present to the Committee information related to specific articles of the Convention or to issues being considered for general recommendations and suggestions. It had also decided to select and to review specific articles and other issues to be considered at subsequent sessions as a long-term programme, without prejudice to any changes that might be necessary as a result of new developments and priorities.

56. At its sixteenth session, the Committee had adopted a general recommendation on articles 7 and 8 of the Convention; the final text of the recommendation was before the Committee in document CEDAW/C/1997/II/5.

57. The Committee also had before it a note by the Secretary-General on reports provided by specialized agencies of the United Nations on the implementation of the Convention in areas falling within the scope of their activities, in document CEDAW/C/1997/II/3 and Add. 1-4.

58. With regard to agenda item 7, at its twelfth session, the Committee had decided that the Secretariat should prepare every year, as a pre-session document, a report on ways and means of improving the work of the Committee. In view of the fact that the Committee had been authorized to hold two sessions annually, the Secretariat had decided to provide the Committee with a report on ways and means at each session. The Committee therefore had before it a report by the Secretariat on ways and means of expediting the work of the Committee, in document CEDAW/C/1997/II/4. The report of the independent expert on effective functioning of bodies established pursuant to United Nations human rights instruments, which was mentioned in section XI of the report, had been issued to the Committee for information and comments. The report by the Secretariat

included, in annex I, a list of States parties the reports of which were overdue five years, as requested by the Committee at its previous session, and, in annex II, the proposed procedures and format for the elaboration of concluding comments, based on guidelines adopted by the Committee at its sixteenth session.

59. The Committee would also have before it, in document CEDAW/C/1997/WG.1/WP.1, a working paper containing the draft rules of procedure. She recalled that, at its sixteenth session, the Committee had decided to continue its review of the draft rules of procedure, and had invited further comments from members of the Committee.

The meeting rose at 1 p.m.